

**REMARKS**

Reconsideration and allowance of the above-referenced application are respectfully requested.

**I. STATUS OF THE CLAIMS**

Claims 37, 39 and 41 are amended herein.

Claims 1-36 and 42-45 are allowed.

In view of the above, it is respectfully submitted that claims 1-45 are currently pending and under consideration.

**II. REJECTION OF CLAIMS 37-41 UNDER 35 U.S.C. § 103(A) AS BEING UNPATENTABLE OVER COMBINATIONS OF THE TEACHINGS OF MA, BERGER AND IWATA**

Claims 37, 39 and 41 are amended herein, and recite allowable subject matter similar to the allowable subject matter recited in the allowed claims 1, 16, 29 and 43 of the present invention.

Moreover, claims 37 and 41 recite "at least two mutually exclusive wavelength bands, each having at least two channels," "wavelengths of the respective wavelength bands having approximately equal channel powers," and "approximate channel powers of the shorter wavelength band light is greater than approximate channel powers of the longer wavelength band light," which distinguish over the cited prior art. Claim 39 recites "at least two mutually exclusive wavelength bands, each having at least two channels," "wavelengths of the respective wavelength bands having approximately equal channel powers," and "approximate channel powers of the respective wavelength bands are greater than approximate channel powers of said longer wavelength band," which distinguish over the cited prior art.

In view of the above, it is respectfully submitted that the rejection of claims 37-41 is overcome.

**III. CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that each of the claims patentably distinguishes over the prior art, and therefore defines allowable subject matter. A prompt and favorable reconsideration of the rejection along with an indication of allowability of all pending claims are therefore respectfully requested.

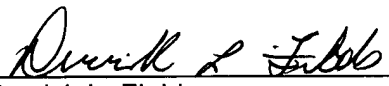
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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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